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The Res Gestae

Vol. 40 No. 7

The University of Michigan Law School

February 28, 1990

University of Michigan Law Student Runs for Ann Arbor City Council

by Anthony Balon

"If you can't get students to vote on either sex, drugs, or the environment, then you might as well give up."

This is the view of 3L James Marsh, a fourth ward candidate for the Ann Arbor City Council, as he contemplates the April 2 city elections. Marsh, who was an undergraduate at the University of Michigan, is the nominee of both the Democratic and the Green parties. Making his first bid for public office, he challenges a Republican first-term incumbent—a council member who won his seat in 1988 by a margin of about 400 votes.

Marsh said he focuses his campaign on three issues: support for the current law making possession or use of small amounts of marijuana in Ann Arbor punishable by a \$5 fine; endorsement of the proposed Ann Arbor "Reproductive Freedom Zone," which aims to impose a \$5 sanction upon those who violate any abortion restriction codified by Michigan law; and support for measures that will improve

the environment.

These three issues will appear as referenda on the April 2 ballot. "My key is to link myself with the issues that students will be voting on," Marsh said. "I am the only candidate [who] is actively supporting the \$5 pot law in Ann Arbor."

"There are a lot of people in Ann Arbor who are 'left' of the the Democratic Party...who don't believe in party politics...who will vote on the initiatives, and who won't vote for [any of the] candidates," Marsh noted. His strategy is to appeal to those "disenchanted" voters. "Even in the strongest Republican precincts of the fourth ward, the pot law has won, but the Democratic candidates didn't win," he said, referring to the 1983 election—the last time the pot law was put to a city-wide referendum.

"Now, one of two things is happening. Either there are a lot of closet 'Republican pot smokers' out there who, in the privacy of the ballot [booth], are voting for [the \$5 penalty], or there are liberals in the pre-

cinct who are not voting for the candidates of the Democratic Party," Marsh claimed. "In the campus area, where the vote is 90% Democratic, people are voting for the issue, but are not voting for the candidates."

Part of Marsh's candidacy rests on his stated goal of "an intellectual union between the city and the university." He said he is amazed at how few council members have ties with the university.

Aside from the platform, Marsh's campaign faces some logistical problems. The fourth ward consists of thirteen precincts, only four of which can be characterized as "student precincts." South Quad represents the northern-most point of the fourth ward, and Marsh has focused his voter registration drive in that location.

"In the last two weeks, we have registered about 150 new voters, 80% of [whom] have identified themselves as Democratic or Independent," Marsh said. He added that, with the help of other registration efforts, he hopes to help make eligible 250 new student voters in the fourth ward.

Marsh's campaign literature describes him as "The Democrat/Green Candidate," but Marsh says he aligns himself more with the latter. The Green Party began in West Germany and is generally considered to be a left-of-center, environmentalist party. It lacks ballot access in Michigan, so its candidates must run as independents or through a coalition arrangement with one of the major parties.

Marsh, who is currently vice-president of the U-M College Democrats, said he does not foresee political difficulties arising from his dual affiliation. He noted that neither the Democrats nor the Greens want to split the liberal vote in Ann Arbor.

"This year, I can run as a 'Democrat/Green,' but when the Greens do get ballot access in Michigan, I'll be required from a moral standpoint to run as the Green candidate for city council," Marsh explained. "I don't think that will be a problem with the Democratic Party. I've received a lot of support from [them], and they know I'm running as a Green candidate."

MAR 14 1990

UNIV. OF MICH News Briefs

David Everson, '71, will present the second talk in the law school's "Forum on Changes in the Practice of Law" series today at 4 p.m. in Room 120 Hutchins Hall.

According to a flier from the Placement Office, Everson is currently a partner in a large Kansas City law firm. He practices in the commercial area and represents clients pro bono in death penalty cases. Everson will discuss his views on balancing pro bono work with other demands, ways for associates to maximize their opportunities with firms, and the impact of various economic forces on the current practice of law.

The law school administration reported Monday that the plexiglass covering the Lesbian and Gay Law Students Association bulletin board in Legal Research was vandalized over the weekend.

Dean Eklund and Dean Gordan noted that the destruction follows other recent

acts of harassment against LGLSA and lesbian and gay students in general. Administrators have undertaken an investigation into the incident.

Gabor Hamza, Visiting Professor of Law at Benjamin N. Cardozo School of Law (NY), will speak March 12 on "The Changing Legal System in Eastern Europe." Hamza's address, to be held at 4 p.m. in Room 100 Hutchins Hall, is sponsored by the law school and the International Law Society.

The Law School press release reports that the multi-lingual Hamza currently serves as Director of the Institute of Roman Law at Eotvos Lorand University in Budapest, Hungary. He has lectured extensively in numerous western European countries on comparative law, his primary academic interest.



Professor Beverley Pooley (left) and law students Jane Gorham and Hal Marcus enact a scene from this past weekend's production of Ira Levin's *Deathtrap*. The other cast members were Jane Burton and Patrick Kitchin. Richard Perloff directed. *Deathtrap*, which ran February 22-25 in the Schorling Auditorium of the School of Education Building, was the Law School Arts Committee's first production.

The Res Gestae

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Submissions to The Res Gestae should be placed in the newspaper's pendaflex in Room 300 Hutchins Hall by 5 p.m. on the Saturday preceding publication. Items submitted after this time will not normally be considered for inclusion in the following issue. Anonymous submissions will not be printed unless the identity of the author is disclosed to the editors and there is a compelling reason for the author to remain anonymous.

The Res Gestae requests that submissions be placed on Macintosh disks. This will save us time and expedite the printing of your ideas. The piece may be typed in any of the following word-processing programs: WriteNow, Microsoft Word, WordPerfect or FullWrite.

Time For a Change

On Monday, Deans Eklund and Gordan notified the law school student body that vandals had shattered the protective plexiglas covering the LGLSA bulletin board. The plexiglas had been placed over the board to prevent vandalism that has been a problem since the early 1980s.

We commend the law school administration for acting quickly to condemn this incident. We are disheartened, however, that such incidents continue, and we do not believe that the letter from the Deans will significantly alter this.

If the past is any indication, no will come forward with information about those responsible for the violence, and the incident will fade without resolution. To allow this behavior to go unsanctioned degrades the entire law school community. Yet without information provided by other students, little can be done to identify the vandals.

The traditional response has been to blame these incidents on the undergraduates, to deflect attention from the law school community. We do not believe that this is either fair or accurate. We find it highly improbable that, if perpetrated by undergraduates these acts of violence could have taken place unobserved by any member of the law school community.

We are both saddened and disturbed by the possibility that this law school is training in the law those who have no respect for it or for each other. The law, if misused, can be as powerful a weapon as that which was used to destroy the glass over the LGLSA board. It is a weapon that we do not wish to see in the hands of those who hatefully and destructively act out their bigotry.

This is our law school, and we who value it feel strongly that its dignity is lowered by incidents such as these. The right to free expression of views without harassment or intimidation should be fundamental to this law school. We reiterate the request of Deans Eklund and Gordan that anyone with information about this event come forward with it.

E.L.M.



REQUIRED COURSE FOR THE NEW J.D.-M.F.A. DEGREE:
POOLEY'S DRAMATIC CONTRACTS 521.

Letter to the Editor

Student Questions White's Views

To the Editor:

The article in the RG two weeks ago entitled "J. J. White discusses His Career, Views" contained much interesting material from Professor White's perspective as a highly-regarded scholar and teacher. I thought that most of what he said was quite insightful and that both faculty and students could benefit by reading his comments in this interview.

I was disturbed, however, by two particular sections of the interview. Professor White was quoted as saying:

Students have lots of wasted hours that we could take away from them and, by one means or another, get them to learn what it is we want them to know. Students are not too hard to manipulate . . . They can spend more time at Frazier's Pub or they can learn Article 9 . . .

Later, Professor White stated that:

When students decide to come to Michigan they realize that they want to buy a certain level of instruction . . . [A]fter the student pays his tuition, he doesn't really care what we do. He will tolerate anything. We fulfill our bargain to him by what Nancy Krieger does in the Placement Office . . .

The student buying an education makes his choice when he accepts our offer. He is not given the power a consumer normally receives in a recurring transaction. He is inhibited by the rules. The law student as a consumer is removed from the transaction . . .

Regarding the first quoted section, I am perfectly willing to acknowledge that, from Professor White's experienced perspective, many students are manipulable in the way he suggests and that some (but not many) students see their alternatives for the way they spend their time as "study or drink beer." I have two gripes with this passage, however. The first is a disagreement with the factual assumption (as we say in the law biz) behind Professor White's assertion. The second is more important and involves what I perceive to be a subtle connection between this kind of thinking and what is wrong (in part) with legal education and the legal profession in general.

First, I believe that what Professor White calls "wasted hours" are not, for the large majority of this student body, wasted at all. It is true that one does not need to spend 18 hours a day studying in order to do well enough to graduate (or in some cases, to excel). Some people around here study for 2 hours a day, some for ten, and most somewhere in between these extremes. My argument with Professor White centers on what students do with their waking hours in which they aren't studying. Some students watch a lot of television. Others participate in

sports. Everyone spends some time conversing with his fellow students. Some have family obligations. Some read books outside the law, or attend concerts, or plays, or sporting events. Some are involved in student activities. Some participate in religious observances. Among a group as dynamic and intelligent as the student body at Michigan Law School, one can find someone with any one of a large number of interests outside the law. While it is true that some do drink and party immoderately, I believe that the majority of students in this law school spend their free time in essentially constructive ways which tend toward the creation of a well-balanced attorney with a broad range of interests — ultimately allowing them to be better attorneys than if all they knew was every last punctilio of Article 9.

All of which brings me to my next point, which, although harder to prove, is not without evidence. Particularly because he is such a highly-regarded figure, I believe that the attitudes expressed by Professor White describe an increasing dehumanization of the law, a dehumanization which may be seen increasingly throughout our society.

Law students continually hear about the ridiculous hours which we are expected to put in as young associates in the kind of firms that many of us will be joining after graduation. After we have worked in large firms in a major city as paralegals before school or as summer associates, we find out that these reports are true (not that summer associates are overworked — my point is that being a summer associate gives us an opportunity to see the lives led by young associates in large firms). The fact that our firm experience is limited at this point in our careers doesn't change this basic truth we recognize about the conditions in these firms. We're all old enough to recognize a sweatshop when we see one.

Ah, you say, but we are well-paid for our toils. This argument is a bankrupt corollary to the drooling nonsense put forth by a certain fringe of the free-market economists, the same people who put a price tag on everything, including the time that a lawyer doesn't have to spend with his or her children as a result of the mind-numbing hours we are expected to work. It is not a complete answer to say that one can simply work for a smaller, less prestigious firm or work in public interest or move to a more remote geographical area. It is often true that the work done in the large firms is the most challenging and interesting work available for the caliber of people who graduate from this law school, particularly for young attorneys who have the ability and desire to shape the future course of their profession. This desire for leadership is healthy, but increasingly the price is too high. And anyway, we have all

See BLACK, page FOUR

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Announcements or personal notes may be turned in to Lisa Salvia's pendaflex (3L) by noon Monday for publication the following Wednesday. Recognized student organizations in good standing with the RG may place announcements of upcoming events or meetings free of charge. Individuals may place personal notes for 50¢ for the first 25 words, and 25¢ for each additional 10 words. Remittance must be submitted with your ad.

Notices

Cadette Girl Scout Troop 672 is having a cookie booth on Tuesday and Wednesday, February 27 and 28, in front of Ulrich's from 2-5 p.m. Seven varieties will be available: Shortbreads, Caramel deLites, Thin Mints, Lemon Pastry Cremes, Peanut Butter Sandwiches, Peanut Butter Patties, and Golden Yangles. The price is \$2.00/box and the profits will go toward their activities.

The Law School Student Senate is pleased to announce the appointment of Janet McLean, an LL.M. student from New Zealand, as a non-voting graduate law student representative to the Senate for the remainder of the school year. The senate is also considering amending the LSSS Constitution to provide for the an-

Notices

nual election of a graduate law student to the Senate as a voting representative from the graduate law school class, as graduate law students are not currently represented on the Senate.

The proposed amendments would consist of the addition of the following to Sec. 5.3 of the constitution: "The Senate shall also include one representative elected from and by the graduate law students at large," and, the addition of the following to Sec. 5.3 to the constitution: "The graduate law student representative shall be elected at the same time the first year representatives are elected, and the graduate law student representative shall serve until the end of the school year in which elected".

Comments and questions concerning these proposed amendments, or other is-

Notices

sues, are welcome. The Senate meets Monday nights at 7 p.m. in the library seminar room. Senate meetings are open to all members of the student body.

Student Funded Fellowships Pre-Campaign poster-making party, taking place in the Lawyers Club Lounge at 9 p.m. on Thursday, March 1st. SFF will provide refreshments, dance music, and poster-making supplies. All we need from you is your help making posters for the upcoming campaign!

Phi Alpha Delta Law Fraternity, in conjunction with Stanley H. Kaplan, is sponsoring a Bar Review Raffle. Grand Prize: a free Stanley H. Kaplan Bar Review Course. 1st and 2nd Prizes: 10 percent off

Notices

a Kaplan Bar Review Course. Raffle dates are Tuesday, February 13 to Friday, February 23. Tickets are available at the P.A.D.-Stanley H. Kaplan table in front of Room 100 of from P.A.D. members. Tickets are \$1 each or 6 for \$5. The drawing will be held at a "Pizza Happy Hour" at Dominick's, Wednesday, February 28 from 4:30-6:00 p.m. Ticket purchasers need not be present to win.

Women and the Law needs GSTA's Covers topics in American constitutional and statutory law that have special effect on women. Emphasizes the fourteenth amendment, particularly its equal protection clause. Topics include: family law, rape, spouse assault, employment discrimination, affirmative action.

The University of Manitsky Law School Bulletin

By Andrew Manitsky

The University of Manitsky Law School, founded in 1990, offers a unique educational experience. The professors at U of M require very little reading; in fact, much of the assigned reading is available on our special "Casebook Video Series," a collection of low-budget videotapes in which all relevant casework is acted out by amateur actors. (The Torts tape is particularly

worthwhile.) Moreover, the professors are strictly prohibited from engaging in the so-called "Socratic Method"; most classes are conducted at local bars and pubs, where participation is generally limited to questions about the daily special.

The coursework at the University of Manitsky Law School is designed to give the student everything he or she could want: solid analytic skills, a firm grasp of

legal doctrine, and plenty of free time. Here is a sampling of the courses at U of M:

Images of the Legal Profession (501). 4 hours.

The first half of this course concentrates on the various roles lawyers play in today's world: adversary, negotiator, mediator, rip-off artist. The second half of the course takes a more pragmatic approach; students will be taught what to

look for when buying a briefcase, and special attention will be given to choice of suits (Single-breasted? Double-breasted? Pleats? Cuffs?) Texts include: "Power Ties Myth or Magic?" and "Your Friend the Wing-tip."

Ethics (508). 1/2 hour.

Students are given a comprehensive and exhaustive exposure to legal ethics. Topics include: confidentiality, conflict of interest, and bribing the judge—pros and cons. Texts include: "Exorbitant Legal Fees: How High is Too High?" and "Lying on the Stand."

Commercial Transactions (605). 3 hours.

Study of problems in commercial settings, including: promissory notes, security interest, and returning shoes you've worn for a month. Students are taught the importance of comparison shopping, and are shown how to make change for a 50. Articles 3, 4, and 9 of the UCC are glanced at, and Articles 2, 5, and 6 are mentioned in passing.

Law and Economics (702). 3 hours.

A study of the current literature on the economic analysis of law. This course will deal with economic interpretations of property rights, breach of contract, and pollution control; students will be exposed to the works of Posner and will be taught how to correctly pronounce "Calabresi." Special attention will be given to the issue of hourly rates, with weekly "drill sessions" on dividing by 3.

Introduction to Martinis (706). 4 hours.

This course examines the fundamentals of the martini. Students will be introduced to the theoretical underpinnings of the drink, and will deal with problems which have traditionally been troublesome to scholars, namely: the "vodka" martini, the martini "on the rocks," and pearl onions. Texts include: "The Very Dry" and "Olives, Olives, Who's Got the Olives?"

To be continued...

Black on White

Continued from page TWO

heard about the trend toward the elimination of smaller and medium-sized firms, projected to be swallowed up by the megafirms in our lifetime. This projection may be overly dire, but most experts believe that this will undoubtedly occur to some degree. Many people will (and are already starting to) opt out of the large-firm game. To the extent this is done, the result may be a reversal of the trend toward large firms (and a vindication of a more sound free market theory, one which acknowledges the humanity underlying the provision of legal services), but the pressures in the other direction are great and are reinforced by comments such as those made by Professor White.

Now, maybe I'm making a little too much of what might be a few offhand remarks uttered by Professor White. I am certain that Professor White has great respect for many of the students who come in contact with him. On the other hand, his comments are made in a setting in which many students believe that sacrificing a well-rounded life is acceptable for young attorneys as a "dues-paying" exercise. Professor White's comments concerning time spent away from the law are also made, perhaps with more conviction, by many partners (and rising associates) in our law firms. This view is one of productivity above all else, exchange value (money) above all else, and above all else, a view

that lawyers should avoid the cultivation of their souls because it makes for a smaller partner profit at the end of the fiscal year. With this worldview to look forward to, it is not surprising that some students see their alternatives as "study or drink beer."

My comments about the second set of quotations above are not extensive, beyond what has already been said. In fact, I am not at all certain that Professor White was not meaning to criticize these views, given the comment by Clinton Elliott earlier in the piece about Professor White's feeling that students "make too few demands as 'educational consumer'..." Assuming that Professor White meant to criticize the views I quoted above, I will offer some brief comments of my own which he may agree with.

I won't pretend that many students at this Law School don't feel that getting a legal education is merely a "transaction" aimed at increasing one's value as a commodity. There are others, however, who want it to be something else. These students yearn for *learning* from men and women who, through their years of experience, have gained important knowledge about human beings and their disputes. The "bargain" described by Professor White is another example of a "time is money" locution which tends toward the debilitation of the human spirit. Yes, students pay to go to school here, but what they are doing is investing in "human capital" (as

the economists say), expending three years of their youth to gain something which will (hopefully) ennoble them for the rest of their lives.

Richard Weaver, a 20th-Century thinker who defended classical virtues against the mounting depersonalization of modern society, summed up my point well in his book *Ideas Have Consequences*:

"Man is constantly being assured today that he has more power than ever before in history, but his daily experience is one of powerlessness. Look at him today somewhere in the warren of a great city. If he is with a business organization, the odds are great that he has sacrificed every other kind of independence in return for that dubious one known as financial. Modern social and corporate organization makes independence an expensive thing; in fact, it may make common integrity a prohibitive luxury for the ordinary man."

I believe that Professor White's comments were misplaced. I am confident that I speak for a large number of students at this law school in maintaining that the practice of law should be our profession, not our obsession.

Gregory W. Black

Dot and Me A Hemingway-esque Trek into the World of Bowling

By Scott R. Powell

Like most strange dreams, it happened on a rainy night.

In theory, the plan seemed simple; five people in a rusted Trans Am looking for a night of bowling. So much for theory.

There was dissension among the bowlers from the beginning; the Tool wanted to go to Colonial Lanes because it was closer to the Law Quad. The First Year and the Red Neck wanted to go to Ypsi-Arbor Lanes because the bowling was cheaper, the beer was on special, and they liked the name. The Greaser and his Moll didn't care; though it was the Greaser's Trans, they were but onlookers on this field trip.

As could probably be expected, cheap beer won over convenience.

There wasn't a lot of discussion on the way to the alley. Perhaps our players were

too lost in the bewildering display of lights that is Washtenaw Avenue. Or perhaps they subconsciously knew they were about to become part of something bigger than the sheltered lives of these little people.

The first thing they noticed as they pulled into the spacious Ypsi-Arbor lot was its bleakness; apparently, few other souls wished to brave the weather in order to push their bowling acumen to the limit. This was fine with the players, the beer would still be cold.

There was an unearthly atmosphere pervading over the alley itself. The lanes were completely unoccupied. All forty of them were dark, except for some Carl Saganesque pattern lighted up on the back. The Red Neck attempted to rent some shoes, but was told that there was no open bowling to be had, as the whole bowling

alley had rented to some ethereal group. Indeed.

Our heroes were not to be so easily dissuaded. They inquired at the counter as to the possibility of being squeezed in. They were told that there might exist the possibility that they could play, as the mystery group was supposed to start at ten o'clock, which was a mere five minutes away. As yet, though, the alley was bare except for the intrepid explorers.

Ten o'clock arrived. Still no sign of this phantom party that was supposed to breathe life into a barren wasteland of desolated lanes. Finally, one of our intrepid gang, in typical blustery Red Neck fashion, mustered up the courage to ask "Just who are we waiting for, anyway?" The answer was as simple as it was surprising. "The University of Michigan Law School is renting the place". The valiant group exchanged surprised glances. Surely, there was some mistake. Everyone pulled out their law school I.D. cards and threw them on the counter. "We," they exclaimed, "are from the law school, and we know nothing of bowling night." The people behind the counter, whose own I.D. badges designated them "Dot" and "Terry", looked perplexed. An appointment book was brought out and sure enough, some entity known as the Law School Senate had reserved the entire alley. Was this a conspiracy on the Senate's part to deprive thrill-starved law students of bowling pleasure? Determined to discover the truth behind this matter, the brave legal ten-pinner manned the phone lines. No luck. The Senate had obviously absconded with the evidence, and the group could sense the shredders warming up to destroy any link displaying Senate involvement with this woeful event. If not for the lucky intervention of the five amigos, this whole ugly matter might have been swept under the Senate's rug.

What to do now? Terry and his mother, Dot, opened the lanes just for this motley assortment off the streets. Discounts were even awarded for braving the weather. As the band made their one-shoed way to lane twenty nine, some of the fraudulently alleged best trained legal minds in this country pondered a delicate question: Who would buy the first pitcher and what kind should it be? The Red Neck was the first to head for the bar, where his tattered Levis and Firebird "Formula 400" T-shirt worked as a natural camouflage. He ordered a pitcher of Bud. "The Bud's kind of foamy, are you sure you want it?" With steely legal resolve earned the hard way, the Red Neck crisply responded "Better make it Miller". And thus the evening amusements began.

The practice frame came and went, building confidence. Then the actual game began, and egos went the way of the Hindenburg. It was obvious something different had to be done.

Suddenly, a voice resounded from the rafters. "Hey, you can't bring beer down there!" The group turned around and there

was Dot, staring from behind the microphone for the P.A. system. Dot, our group exclaimed, we need to drink to compensate for our inadequate . . . bowling. Thus was born the true heroine of the story, as Dot came out from behind her counter fortress and preached the bowling gospel to our desperate group. She stood there in her socks and imparted these immortal words on the heathen law students "Throw the ball just like you were bowling on the carpet". A seemingly innocent phrase, but one with the power to move worlds.

This was not a prophet of mere words. Dot was a creature of action. She and the Red Neck engaged in a game of bowling ball ping pong on the carpet of Ypsi-Arbor. The five sat there stunned by the revelation. This one mere secret, long shielded from the public by selfish bowlers, would make the difference between a gutter ball and a strike. Armed with this precious knowledge, our bowlers once more approached the field of honor.

What happened next, to this day, remains a blur. Lesser commandments flowed forth from our prophetic mouth. "Wherever your thumb points, that's where the ball will go", "Keep your arm straight, like there was a board attached", "Your arm should touch your nose when you're done", and other more arcane advice that needs to be earned and not given here for free.

At one point, this goddess from middle America brought forth her weapons of instruction - a bright orange bowling bag with a robin's egg blue ball contained within. The ball only weighed eight pounds, but it threw like it weighed thirteen. The ball spun, the pins fell. The lady could not only give advice, but control a ball's destiny.

Red Neck still missed the number five twice, which Dot called the Sex Pin.

The Tool failed to reach a hundred in either game.

The Greaser and his Moll just looked bored.

The First Year didn't want his named mentioned in any article.

Time passed in a blur of rolling balls and sailing pins. Dot's advice, once heeded, led to form of great bowlers. Such was the power of Dot's teachings that it couldn't be contained in one lane. Dot needed a second lane from which to instill in her new disciples her powers.

Finally, their heads overloaded with images, the adventurers' quest came to an end. Filled with the inspiration of Our Lady of Divine Bowling, the strangely subdued group returned to the brutal sodden world outside. Yet they held no fear in their hearts. They were better for their experience. They had grown a new respect for the UAW.

The group bid their sad farewells to their new found mentors and friends. As they once again joined the eternal struggle on Washtenaw, they were haunted by Dot's parting words "Wait til the next time they want to rent forty lanes".

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Shakes Out Red, Turns Blue

By Harold Hunter

Well, my tenure as a sports columnist are numbered (please, hold the raucous cheering until the end of the article). Thus, the RG's in need of someone to continue the long-standing tradition of sportswriting. You can start this year if you want to. Hell, you can start today if you really want to. If you do want to write, you get to opine about anything you want, pump your alma mater incessantly (I've managed to include Nebraska in approximately 75% of my articles -- see, I just did it again), and skip Tuesday evening dinner at the Lawyers Club (free pizza Tuesday afternoon for all RG staffers). I heartily recommend this venture, especially if you're as bored with law school as I am. Anyone interested please contact anyone who cares, or Andrew Manitsky, or even me if you catch me on a day when I'm not hungover (Mondays and Tuesdays).

As my days in Ann Arbor (a.k.a. Southern Alaska, or, if you prefer, the wet spot on the satin sheet of life) dwindle to a mercifully precious few, I tend to harken back over the last three years and recall my personal sports highlights and lowlights that made this place alternately bearable and damned depressing. For sure, my happiest memory is easily last year's Wolverine hoops squad, and their long, strange trip to the national championship. Until that point, I really felt like I was an outsider looking in to this University, not really *feeling* like a Wolverine. However, during the weekend the Maize and Blue swept through the Final Four in Seattle, I noticed for the first time I started saying "we" when referring to Michigan sports, instead of "Michigan", "them", or "you" (when talking to a Michigander). I knew my affection for Michigan sports was forever cemented in me when I actually enjoyed partying in the rain with the riotous mob at Church and S. University, celebrating the win over Seton Hall (1L's, you really missed something). I won't admit it to native Wolverines, but you should see me when I'm back home watching the Rose Bowl with my buddies. I actually brag about "us" now when I'm around my hometown friends, to the point many of them now call me a traitor. Hall to the Victors!

The most miserably memorable "sports moment" occurred during my first semester here. If you'll recall, during the 1987 college football season, Nebraska (there I go again) and Oklahoma were ranked numbers one and two all year long until they met in Lincoln at season's end. On one hand I was elated, because this was *finally* going to be the year the Huskers took it all. However, I was royally p---d-off because I hadn't missed an Oklahoma game in Lincoln since 1970, and here I was stuck in law school, meaning I'd miss the biggest game ever to take place in Nebraska. Here I was, watching most people gradually acquiring the feeling of intense terror as exams were only two weeks away, and I couldn't have cared less about anything else but THE GAME. This game was so big, even the *N.Y. Times* and *USA Today* did features on it during THE WEEK before the battle.

I called home twice a day all week long, just to get reports on practices and the injury situation. I was told the entire state was delirious, and students had basically stopped going to classes in Lincoln. Here was the biggest

week-long party in University history, and I was marooned here reading about future interests. Man, I was bummin'! I stayed up till 4:00 A.M. every night that week (as my roomie Duncan MacDonald can tell you) watching every taped NU-OU game in my collection. Usually, I don't start hyperventilating until the Friday night before the Oklahoma game, but that week I think it started Wednesday. By Saturday, I was a wreck -- I spilled my first two beers because my hands were shaking so bad (seriously).

Anyway, to make a long story long, as evening shadows enveloped Memorial Stadium in Lincoln that Saturday and I sat in my room numb, a Sooner halfback nailed a stake the size of a railroad tie through my soul as he raced 70 yards and sealed Nebraska's fate. A couple of my friends (who I think were there more to watch me than the game) knowingly left the room, probably fearing injury, and my roommate compassionately stayed somewhere else that night allowing me to conduct my annual emotional funeral. Other than after my Property final exam, that night marked the last time I actually wept.

Hunter's Top Forty

- | | | |
|------------------|----------------------|---------------------------|
| 1. KANSAS | 15. CLEMSON | 28. HOUSTON |
| 2. MISSOURI | 16. LSU | 29. S.W. MISSOURI ST. |
| 3. UNLV | 17. OREGON ST. | 30. U. ALABAMA-BIRMINGHAM |
| 4. OKLAHOMA | 18. ILLINOIS | 31. SOUTHERN ILLINOIS |
| 5. DUKE | 19. ARIZONA | 32. VIRGINIA |
| 6. GEORGETOWN | 20. MINNESOTA | 33. INDIANA |
| 7. MICHIGAN | 21. GEORGIA | 34. OHIO ST. |
| 8. CONNECTICUT | 22. XAVIER | 35. BYU |
| 9. PURDUE | 23. LOYOLA MARYMOUNT | 36. UCLA |
| 10. MICHIGAN ST. | 24. LOUISVILLE | 37. KANSAS ST. |
| 11. SYRACUSE | 25. ST. JOHN'S | 38. ALABAMA |
| 12. GEORGIA TECH | 26. CALIFORNIA | 39. TEXAS |
| 13. ARKANSAS | 27. NEW MEXICO ST. | 40. NOTRE DAME |
| 14. La SALLE | | |

Basketball Results

By Terry Darden and Margo Kirchner

In a tense and thrilling finale to the LSSS Basketball Tournament Feb. 17, the Fellas Supreme pulled out a double-overtime 45-44 victory over the Sluggers at the Intra-Mural Sports Building.

The 3L Fellas Supreme, composed of players from last year's two finalists, dominated the first half of play but found themselves trailing the 2L Sluggers in the final seconds of regulation. A clutch free throw sent the game into overtime, however.

During the first overtime period, the Sluggers lost star Mike Carithers, who fouled out, but they still gave the Fellas Supreme a great run for the t-shirts. The Sluggers overcame a four point Fellas' lead to force a second overtime. The second OT was a see-saw struggle in which neither team managed to take command.

Finally, the Sluggers took a 44-43 lead on two John Mueller free throws with 40 seconds remaining. The Fellas Supreme worked the ball around until Brad "Fruit" Fisher was fouled with one second left to prevent an open shot from the baseline. After a clever Sluggers time out, Fisher stepped to the line and swished both free throws. When a desperation shot fell two feet short, the Fellas Supreme won the Law School Champions t-shirts.

Said one cocky member of the Fellas Supreme, "Third-year dominance is undeniable."

The Fellas Supreme employed a full-team substitution strategy, playing two almost distinct teams - one made up of Terry Darden, Ron DeWaard, Tim Elliot, Bill Halle, and Steve Olson, and the other of Brad Fisher, Karl Weber, John Moore, Mark Pieroni, and Tim Oleszczuk. The Sluggers featured Mueller, Rick Brandon, David Whit-

comb, Carithers, Jim "Mudcat" Grant, Kevin Zimmer, Ernie Torrain, James Carlson, Hector Cisneros, Rob Borthwick, and supporter Mike Lawrence.

Meanwhile, 6 Angry Men and the Oxymorons battled for third place honors. The 1L 6 Angry Men, led by high scorers Charles Ruck (20) and Tom Newsome (19), won the contest, 60-47. The 6 Angry Men (really composed of seven players, but who's counting?) were outstanding throughout the tournament, but lost to the Sluggers by four points in winners' bracket semi-final play. Then Fred Dawkins, John Birmingham, Tom Howard, Ted Craig, Jeff Hinebaugh, Ruck and Newsome combined for an amazing 104 points to beat Air Cardozo and boost their team into the consolation finals.

In the Co-ed Bracket, The Bunch pulled out a narrow three-point victory over Illegal Procedure in the championship game, 53-50. The Bunch's play centered around its outstanding women - Kathy Skendzal, JoAnne Weber, Martha James and Beth Abrams - along with men from the Fellas Supreme: Elliot, Moore, Halle, Carr and Weber.

Like the men's final, the co-ed championship game saw the lead change hands several times during a hard-fought battle. 3L Kathy Skendzel netted 22 for The Bunch and "Katy the Fiancee" scored 24 for Illegal Procedure, which had a chance to win the game in the final seconds but missed its foul

shots.

Aside from Katy the Fiancee, the stars of Illegal Procedure included Kristin "the Ring" Martin, defensive wizard Enid Stebbins, Margo Kirchner, and men from the Oxymorons and the Sluggers - Glenn "I bought the Ring" Martin, Steve "She's my fiancee" Skwara, and Ernie Torrain, with fill-in help from Will Tishkoff, Bill Burford, Roger Riviere and Jim (?).

In the Free Throw Contest, 3L Dave Reichert edged out 1L Tracy Schrader in a shot-for-shot playoff after the two competitors finished their first three rounds of shots in a tie.

A terrific time was had by all 200-odd who participated in the tournament, and a big thanks must go out to 1L Noelle Swanson and 2L Margo Kirchner for their hard work in organizing and running the tournament smoothly and relatively on time.

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Uncle Sue Wants You!

By Robert L. Jones

You know, there is one thing that every student at this law school has in common. No, it's not an overwhelming desire to succeed, and it's not an almost immoral lust for cash. Everyone has in common a shared experience, a joint memory, a communal recollection. It strengthens and binds all of us into one. What is this mystical experience?

Law school orientation.

Yes, that's right. Whether summer starter, fall starter or transfer student, each and every one of us has endured two days of non-stop excitement as we meet our classmates and explore our new surroundings. Orientation prepared us for the grim days and long nights that lay ahead.

I was an orientation leader for the past two years. Why, you ask? Perhaps it was out of a misplaced sense of loyalty and compassion. Perhaps it was to return something to the school that gave me so much. Perhaps it was for the free t-shirt. Whatever the reason, there's really nothing quite like being an orientation leader.

Many people are under the misapprehension that you have to go through years of training to be an orientation leader. Actually, nothing could be further from the truth. The selection process is extremely liberal (after all, every applicant is a law student) and the training is done over several weeks of short meetings in March and April.

During the training sessions, Dean Eklund and her staff spend time going over the very minutiae that make law school interesting: things like life in the lawyer's club, establishing a bank account and how to buy law books. While this may seem like trivial stuff, come August, these details will be very important to the next crop of law students who eagerly arrive, ready to learn from their wizened leaders.

Perhaps the most important meeting is the last in which all the orientation leaders undergo a certain amount of sensitivity training. Through a series of fun exercises (trust me on this one), leaders are taught how to handle the

inevitable problems that arise when a disparate group of students come together for the first time. And afterwards it's that most potent of law school incentives - free pizza!

The only requirement that might dissuade some potential applicants is that you must return to Ann Arbor a few days early. The orientation leaders meet a day before the first-years arrive to be briefed on their groups and any new developments in the school.

Despite the sweltering August heat, this is a pretty good time. There's lots of food, people you haven't seen all summer, and you get to see Dean Eklund's house and meet her kids. But wait, that's not all! As if that's not enough, they even throw in a free orientation t-shirt!

Also, for those of you who have never been in Ann Arbor without the presence of the undergrads, it is truly a pleasure. Parking is plentiful, the streets and sidewalks are quiet, and a wonderful spirit of calm pervades the city. This in itself is worth the work being an orientation leader involves. Unfortunately, this experience lasts only a brief day or two and then it's back to undergrad city.

Once the day (and the first-years) arrive, the experience gives you a peculiar feeling of *deja vu*. There is still the rush and chaos you experienced as a first-year, but now you control a small bit of that chaos. Watching confused, scared students run around and try to find their rooms and their leaders is loads of fun, especially since you already know your way around. Plus, you don't have to attend any of the speeches.

The most rewarding part of orientation is when your students start asking questions about the school and you know the answers. I found that I was surprised at how much I knew. Also, both years I had interesting, intelligent groups who were very enjoyable company for the two days. All in all, it was a good way to reorient myself to the upcoming demands of the school year.

If you're thinking about volunteering to be one of the few and the proud, I hope this encourages you to take that initial step. If you're not thinking about volunteering, then take a hike. The job you do as an orientation leader is not

so much one for the law school, as one for the students who follow you. You have the chance to shape (in an admittedly small way) the perceptions of the first year class. If you feel this is a job you can handle, then please sign up. You won't regret it.

Students interested in becoming an orientation leader can obtain the application in Room 300.

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Law in the Raw

By Colin Zick

Go Directly to Jail

Lawyer Kenneth E. Barden of Richmond, Indiana, tells a story of the late Wayne County (Indiana) Superior Court Judge Harry Holtsclaw, who was known for his patient and clear explanations.

An offender had just been found guilty of a repeat offense of drunk driving. The judge suspended his license for two years and ordered him to serve several weekends in jail.

Judge Holtsclaw went to great lengths to explain to the defendant that he could not operate a motor vehicle until the suspension had expired. At the end he asked the defendant if he had any questions.

"Yes," the defendant said. "When I report to jail on weekends, where do I park my car?"

ABA Journal, July 1989

In Your Face

At an assault hearing in Detroit's 36th District Court, shooting victim Kenneth Donaldson was asked to pick out his alleged assailant, Cedrick Griffin, who was sitting in the last row of spectators.

Donaldson strolled back into the courtroom, peering into faces, until he paused near the back row. "He said, 'That's him,' and just reached over two rows and whopped my client right in the face," said defense lawyer Wright Black.

Assistant Prosecutor Michael Callahan followed quickly, "I ask that the record reflect that the complain-

tant has identified the defendant."

Detroit Free Press, 1989

Fowl!

SENECA FALLS, NY — A local man appeared in village court with a rooster tucked under his arm. The man, David Ashley, was charged last month with raising poultry without a permit. After he was charged, his case was postponed until he could secure counsel.

But when Mr. Ashley's court date rolled around, he appeared in court with the rooster. Village Justice Gordon Tetor told Ashley to get rid of the bird.

"It was the only legal counsel I could afford," Ashley replied.

"I don't think he can speak," the justice replied.

"Sure they can, they speak to me all the time," Ashley countered. (Ashley and his wife, Lynda, have about 20 chickens at their home that they say are pets for their two children.)

After removing the bird, Ashley was given another continuance, this time until March 5.

Michigan Daily, February 8, 1989

Chicago Tribune, February 13, 1989

Thanks to Sandy Perl

Wimp!

Most judges don't lead easy lives. They face heavy caseloads with resources that pale in comparison to those of the parties whose cases they decide. However, in

California, judges are eligible for disability pay and San Diego Municipal Court Judge Joseph K. Davis is taking advantage of it. It seems that Judge Davis has developed a nasty case of stage fright or, more appropriately, bench fright. He is filled with fear and loathing as soon as he gets up on the bench, and is afraid to speak. Due to this unfortunate situation, Judge Davis (who is 44 years old and has only served on the bench for 9 years), is now eligible for disability payments equal to his salary, \$56,000 per year (indexed to inflation.)

There has been no indication what Judge Davis will do, now that he is off the bench and in the money. Maybe he should go into labor law. He seems to have a knack for workers' compensation.

Charles Osgood, CBS News, February 15, 1989

I Wonder If He Can Make Sweatbreads?

In Philadelphia, an heir to the DuPont family fortune provides a food-related definition of mental competency. The heir, 33 year old Lewis duPont Smith (yes, Smith) is believed by his parents to be mentally ill. (Or at least his parents think he shouldn't give his \$10 million fortune to Lyndon LaRouche, which is just about the same thing.) Anyway, Mr. Smith insists "No one deserves to go through what I've been through." He adds indignantly, "Anyone who can cook gnocchi alla Gorgonzola cannot be incompetent," having just prepared that Italian dish of potato dumplings and cheese for his wife and a guest.

Detroit Free Press, February 14, 1989

Thanks to ? for adding that to the Secret RG files